

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

CONTEMPT CASE No.1674 of 2014

ORDER:

This Contempt Case is filed alleging violation of the interim order dt.07-10-2014 in W.P.M.P.No.37414 of 2014 in W.P.No.29947 of 2014, wherein this Court had restrained the respondent from interfering with the possession of petitioner in respect of the house property of land admeasuring 733 sq. yds. bearing Municipal No.8-2-293/82/A/A, situated at Road No.2, Banjara Hills, Hyderabad including the construction of wall etc by directing them to maintain *status quo ante* pending disposal of the Writ Petition.

2. It is alleged by petitioner that on 12-10-2014, subsequent to this order, the subordinates of respondent came to the land and erected a name board stating that the land belonged to Government of Telangana and trespassers will be prosecuted.

3. Counter affidavit was filed by respondent denying these allegations and it is contended in para 14 thereof that possession of the land had been taken in 2006 itself pursuant to a panchanama dt.09-11-2006 and that a new Government signboard was erected in the land at that time. A photograph of the Government signboard erected was filed at page No.69 of the papers filed along with the counter.

4. A look at the said photograph indicates that the said board mentions the Government of Telangana in the heading. Admittedly, on 09-11-2006 there was no State of Telangana or Government of Telangana. In a detailed order passed by me today in W.P.No.29947 of 2014, I have taken the said view. The contents of the said order may be treated as part and parcel of this order.

5. Further an additional counter has been filed by respondent purporting to clarify this statement in para-14 of the counter that previously on 09-11-2006 there was a board mentioning "Government of Andhra Pradesh" and that in the place of the said board, a new board was erected reiterating the contents but substituting the word "Telangana" for "Andhra Pradesh". No date is mentioned when this replacement of the old board by new board is stated to have been done. In view of this, it has to be presumed that the contention of petitioner is correct and that the board was installed after passing the interim order by this Court. It is not the case of respondent that she was not aware of the order passed by this Court on 07-10-2014. Thus, it is clear that respondent had violated the order passed by this Court deliberately and willfully.

6. Accordingly, the Contempt Case is allowed, and respondent is sentenced to fine of Rs.2,000/- (Two Thousand only).

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 23-03-2015

Vsv/*